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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,312	04/19/2000	Andrea Basso	IDS #1999-0097	4129

7590 03/22/2007  
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EXAMINER
SHANG, ANNAN Q
ART UNIT
PAPER NUMBER
2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/552,312

Applicant(s)

BASSO ET AL.

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/30/07 has been entered.

### *Response to Arguments*

2. With respect to claims 1, 3, 4 and 6, rejected under 35 U.S.C. 102(e) as being anticipated by **Cobbley et al (5,818,510)**, and claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cobbley et al (5,818,510)** in view of **Hoffert et al (5,983,176)**, applicant's arguments filed 1/30/07 have been fully considered but they are not persuasive. With respect to independent claim 1, applicant amends claim, and argues that Cobbley does not teach, "analyzing content media collection to determine whether..."

In response, Examiner disagrees. Examiner notes applicant's arguments, however, Cobbley teaches that the content of the broadcast information (video/audio image data, closed captioning data, speech data and a wide variety of communication media) is divided into several subject matter areas or segments, where the subject matter can serve as indexing information and where the indexing further includes

analyzing the content to determine whether speech recognition data or closed captioning data may be used to index the media collection (col.3, lines 19-30, line 65-col.4, line 50 and col.5, line 56-col.6, line 32). Hence, applicant's amendment does not overcome the prior art of record as discussed below.

With respect to claims 8-17, applicant's arguments are moot in view of a new ground(s) of rejection discussed below. This office action is non-final.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by **Cobbley et al (5,818,510)** previously cited.

As to claim 1, note the **Cobbley** reference figures 1-5, discloses method and apparatus for providing broadcast information with indexing and further discloses a method comprising steps of:

Indexing (Index Data Capture Device 112, col.3, lines 55-col.4, line 12 and lines 51-61) a media collection to create an indexed library based on a content of the media

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collection (col.5, line 56-col.6, line 21), where indexing the media collection includes analyzing the media collection to determine whether speech recognition data or closed captioning data may be used to index the media collection (col.4, lines 43-50, col.6, lines 21-32, col.8, lines 35-44 and col.15, line 46-col.16, line 7);

Searching the indexed library to identify a set of candidate program segments based on a search criteria (col.10, lines 26-col.11, line 1+); and

Browsing the set of candidate program segments to select a segment for viewing (fig.2, col.11, line 5-col.12, line 1+).

As to claims 3-4 and 6, Cobbley further teaches browseable image for each segment of the candidate program segments, which includes keywords identified in the searable text data for display in the browseable image and selecting a display segment from the set of candidate program segments and displaying the associated browseable image with associated keywords (fig.2, col.11, line 5-col.12, line 1+ and col.15, line 46-col.16, line 7).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cobbley et al (5,818,510)** in view of **Dimitrova (6,363,380)**.

As to claims 8-13, note the **Cobbley** reference figures 1-5, discloses method and apparatus for providing broadcast information with indexing and further discloses a method comprising steps of:

Indexing (Index Data Capture Device 112, col.3, lines 55-col.4, line 12 and lines 51-61) a media collection to create an indexed library based on a content of the media collection (col.5, line 56-col.6, line 21), where indexing the media collection includes analyzing the media collection to determine whether speech recognition data or closed captioning data may be used to index the media collection according to visual information (col.4, lines 43-50, col.6, lines 21-32, col.8, lines 35-44 and col.15, line 46-col.16, line 7);

Receiving a search query from the user to locate a media segment from the index media collection and presenting a portion of the indexed media collection according to the user search query (col.10, lines 26-col.11, line 1+, line 56-col.12, line 1+ and col.14, line 17).

Cobbley fails to explicitly teach indexing collection according to detection of speaker voice characteristics.

However, note the **Dimitrova** reference figures 1-7, discloses multimedia computer system with story segmentation capability and operating program, which sorts a set of story segments (multimedia, including television program) by detecting various features of the multimedia, including a speech recognition system which detects and identifies speakers (col.9, line 4-15, line 47-col.10, line 46, col.11, line 13-34, line 54-col.12, line 42 and col.14, line 24-col.15, line 1+).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Dimitrova into the system of Cobbley to provide a system that detects various speakers and index story segments of the speaker for later retrieval as needed.

7. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cobbley et al (5,818,510)** in view of **Hoffert et al (5,983,176)**.

As to claims 5 and 7, **Cobbley**, further teaches indexing scene and key frames and story characters, but fails to explicitly teach an anchor-person associated with the selected video and where the anchor-person with low information content and field shot image of an event of high information content and forming a browseable image by selecting the field shot image as key image and rejecting the image of the anchor-person as key image.

However, note **Hoffert et al** reference disclose evaluation of media content in a media files, searches for the files in the database and displays the search results based on the content of the media files where high level content attributes are more meaning used for short video sequences to enhanced searching (col. 21, lines 10-28, col. 24, lines 15-35 and Appendix A), note that text and closed captioning data is also used as searchable text.

Therefore it would have be obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Hoffert into the system of Cobbley as to used high content level data to perform a search to reduce error in a search result.

8. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cobbley et al (5,818,510)** in view of **Dimitrova (6,363,380)** as applied to claim 8 above, and view of **Halverson (6,523,061)**.

As to claims 14-17, Cobbley as modified by Dimitrova, fail to explicitly teach a search query from a user further comprising a natural language query.

However, Halverson teaches system and method for agent-based navigation in a speech-based data navigation system where, when a spoken request is received from a user, it is interpreted and the resulting interpretation is used automatically construct an operational query (figs. 1, 2, 4 and col. col. 7, line 64-col. 8, line 25) and further teaches contextual information from a previous interaction with the natural language and return an answer in an HTML format (fig. 4, col. 10, lines 6-19) and generating a semantic description of the natural language query in terms of keyword/value pairs (fig. 3 and col. 11, lines 35-col. 12, lines 11).

Therefore it would have be obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Halverson into the system of Cobbley as modified by Dimitrova in order to an apparatus to interpreted natural language and use the interpretation to perform queries to achieve reduction in speech recognition error in grammars.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

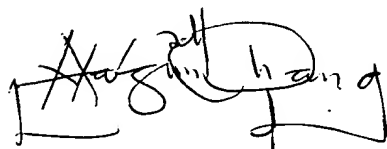


Dagtas et al (6,819,863) disclose system and method for locating program boundaries.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA)** or **571-272-1000**.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', enclosed within a rectangular box.

**Annan Q. Shang**